IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.208 OF 2006

Mr.Rajesh Kumar Modak ....Applicant
V/s.
Mrs.Rashmi R. Modak Ors. ....Respondents

Mr.Rajesh More i/b Ms.Aparna More for the Applicant.

CORAM : R.M. LODHA, &
S.J. VAZIFDAR, JJ.
DATED : 7TH JULY, 2006.

P.C. :

Heard.

2. At the out set the counsel for the Applicant submitted that as regards the maintenance awarded to the child, the Applicant does not challenge the same. He however, submitted that Respondent No.1 (wife) is not entitled to any maintenance as she did not agree for reconciliation and is living separately on her own. He, accordingly, submitted that the award of maintenance to the wife is unjustified.

3. The submission of the counsel does not appeal us. It is a fact that the Applicant intended to obtain divorce and in that regard even the attempts

were made by him for getting the divorce by mutual consent. That clearly shows that the allegation that the wife has been living separately on her own is without any merit.

4. The order passed by the Family Court No.1, Pune is eminently just and proper warranting no interference by this Court. The Criminal Revision Application is dismissed in limine.

(R.M. LODHA, J.)

(S.J. VAZIFDAR, J.)